



Milwaukee County Office of the Sheriff

NEWS RELEASE

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David A. Clarke Jr.
Sheriff

FOR IMMEDIATE RELEASE
Monday, October 13, 2008

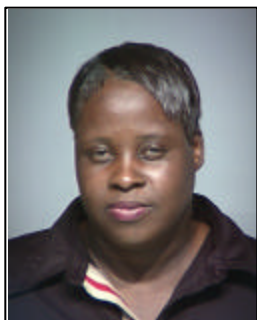
Media Coverage Prompts Suspect in Bus Assault to Surrender

Milwaukee, WI – Last week, Milwaukee County Sheriff David Clarke released video of a mother and two suspects assaulting a female passenger on a Milwaukee County bus. After local television stations showed video of the attack, a woman turned herself in. 38-year-old Kimberly Smith of Milwaukee identified her son, 18-year-old Michael Gibson Smith, as the suspect who struck the female bus passenger. Smith also identified the male who threatened to “pop anyone on the bus” as 23-year-old Michael Davis, her boyfriend. All three suspects have been arrested and charged by the District Attorney’s Office. The range of charges include: felony battery (*3 ½ years exposure*), disorderly conduct and habitual criminality (*exposing them to a maximum of 2 years in prison*).

All suspects have a criminal history:



Michael Gibson-Smith has one arrest as an adult. He has six juvenile arrests. Gibson-Smith is currently charged with felony Battery to Public Transit Passenger.



Kimberly Smith has 19 adult arrests.

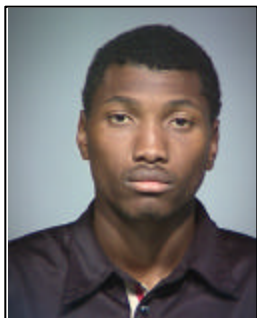
- **10/09/2008 Current booking** Arrested by MCSO for Disorderly Conduct, Resist Obstruct Officer and VOP-F. No bail on VOP-F.
- **02/21/1991** Arrested by MPD for Burglary PTAC (Felony). Disposition- No Prosecution.
- **05/09/1992** Arrested by MPD for Recklessly Endangering Safety (Felony). Disposition-No Prosecution.

For more information about the Milwaukee County Sheriff’s Office,
visit our website at www.mksheriff.org.

- **09/13/1995** Arrested by MPD for Loitering for Prostitution (non-criminal). Disposition- Not reported.
- **09/20/1995** Arrested by MPD for Loitering for Prostitution (non-criminal). Disposition – charged as Prostitution-Nonmarital sex. Intercourse (no conviction reported).
- **10/03/1995** Arrested by MPD for Prostitution-NonMarital Sex. Intercourse (Misd.), Resist Obstruct Officer (Misd.), and Carry Concealed Weapon (non-criminal). Disposition-Prostitution-Convicted, Sentence-Probation 2 years, 45 days at the HOC in custody, 9 months stayed sentence at the HOC consecutive to any other sentences. Resist Obstruct Officer-Dismissed. Carry Concealed Weapon (not reported).
- **3/02/1996** Arrested by MPD for Resist Obstruct Officer (Misd.) and 3 warrants: Resist Obstruct Officer (Misd. X's 2) and Carry Concealed Weapon (non-criminal). Disposition – Summary Resist Obstruct Officer (not reported), 2 warrants for Resist Obstruct Officer-TOT Courts, CCW (not reported).
- **06/13/1996** Arrested by MPD for Prostitution-nonmarital sex. Intercourse (Misd.). Disposition- Convicted, Sentence 2 years probation Consecutive and 9 months HOC stayed. (Consecutive)
- **03/17/1997** Arrested by MPD for Loitering (non-criminal). Disposition-not reported.
- **03/25/1998** Arrested by MPD for Possess Drug Paraphernalia (Misd.) and Carry Concealed Weapon (non-criminal). Disposition-Possess Drug Para. No Prosecution. CCW (non-criminal)-Disposition not reported.
- **04/22/1998** Arrested by MPD for Loitering (non-criminal). Disposition- not reported.
- **05/07/1998** Arrested by MPD for Manufacture/Deliver Cocaine (<=5G) (Felony), Possession of Cocaine/Coca (Misd.), and Prostitution (Misd.). Disposition- Manufacture/Deliver Cocaine (<=5G), Convicted, Sentence 1 year 6 months HOC. Possession Cocaine/Coca- No Prosecution. Prostitution-Convicted, Sentence-6 months HOC Concurrent to charge 1. Jail report date 08/18/1998.
- **06/30/1998** Arrested by MPD for Possession of Drug Paraphernalia (Misd.). Disposition- Dismissed.
- **08/20/1998** Received Dodge Correctional Institution. (in custody for Manufacture/deliver cocaine (<= 5G) and Prostitution.
- **06/19/1999** Paroled.
- **10/16/2001** Arrested by MPD for Loitering Prostitution related (non-criminal). Disposition-Not reported.
- **12/04/2001** Arrested by MPD for Loitering Prostitution Related (non-criminal). Disposition-Not reported.
- **10/26/2002** Arrested by MPD for Disorderly Conduct (non-criminal), and Loitering Prostitution related (non-criminal). Disposition-Not reported.
- **11/09/2003** Arrested by MPD for Loitering Prostitution Related (non-criminal), and Aggravated Battery/Intent-Great bodily Harm (Felony). Disposition-Prostitution (non-criminal), not Reported. Aggravated Battery, Convict, Sentenced to 15 months WSP consecutive to any other time with 37 days credit for time served. 5 months extended supervision. Defendant is sentenced to a total length of imprisonment in Wisconsin State Prison System of 30 months. Consecutive to any other time. Credit for 37 days time served. Probation for 3 years FINED-\$347.00. COURT ORDERED CONDITIONS: obtain and maintain employment, AODA, Attend Treatment and counseling programs as determined by agent. Maintain absolute sobriety with random urine screens. No contact with the(victim), subject to the following condition: No contact without approval of the

court. Third Party contact for purpose of time with child support to approval of Probation agent. No contact with firearms. Pay all costs and surcharges. Attend and successfully complete "Batterers Intervention" program (BIP). Pay supervision fees. Provide a DNA sample within 30 days, pay for same. Begin date 12/17/2003.

- **06/08/2005** Arrested by MPD for Prostitution-Sexual Gratification (Misd.), Possess Drug Paraphernalia (Misd.), and Probation Violation (Felony). Charges added: Prostitution-Sexual Gratification (Misd.), (Habitual Criminality), and Posses Drug Para. (Misd.) (HC). Disposition-Prostitution-Sexual Gratification (not reported). Possess Drug Paraphernalia (not reported). Probation violation-TOT Prob/Parole authorities. Prostitution-Sexual Gratification (HC) Convicted, RESENTENCING, 12 months concurrent with 06CM4729 but consecutive to present sentence, 03CF6824 with credit for 0 days time served. Extended Supervision-Imprisonment of 18 months WSP concurrent with 06CM4729 but consecutive to present sentence 03CF6824 with credit for 0 days time served. Confinement of 12 months and extended supervision for 6 months, concurrent. Not eligible for challenge incarceration program. Disposition-Posses Drug Para. (HC)-Dismissed. Begin date 11/17/2006
- **07/26/2005** Incarcerated WSP for Aggravated Battery/Intent-Great bodily harm (Felony). Term of 2 years 6 months.
- **12/20/2005** Extended supervision.
- **07/04/2006** Arrested by MPD for Prostitution-Nonmarital Sex. Intercourse (Misd.), Resist Obstruct Officer (Misd.), Loitering Prostitution related (non-criminal), Probation Violation (Felony), Prostitution-Sexual Gratification (Misd.), and Possess Drug Paraphernalia (Misd.). Added Charges: Prostitution-Sexual Gratification (HC) and Resist Obstruct Officer (HC). Disposition(s): Prostitution-Nonmarital Sex. Intercourse (not reported), Resist Obstruct Officer (not reported), Loitering/Prostitution related-non-criminal (not reported), Probation Violation (Felony)-TOT Prob/Parole authorities. Prostitution-Sexual Gratification (not reported), Possess drug Para. (not reported). Prostitution Sexual Gratification (HC), Convicted, Sentenced WSP, 12 months concurrent with 05CF4257 but consecutive to present sentence with credit for 0 days time served. Extended Supervision: 6 months, imprisonment of 18 months in WSP concurrent to 05CM4257 but consecutive to present sentence with credit for 0 days time served. Confinement of 12 months and extended supervision of 6 months concurrent to any other sentence. Not eligible for challenge incarceration program. Disposition-Resist Obstruct Officer (HC)-Dismissed. Incarceration begins 11/17/2006.
- **07/01/2008** Extended Supervision release from WSP.



Michael Davis has 4 adult arrests.

- **10/09/2008 current booking** Arrest by Milwaukee County Sheriff's Office for Disorderly Conduct (Misd.), and Probation Violation (Felony).
- **03/02/2004** Arrested by MPD for Drive or Operate Vehicle Without Owner's Consent (Felony). Disposition-(CCAP) Court placed

defendant on probation for 4 YEARS with the following conditions: The court ordered defendant to serve 6 MONTHS in the House of Correction, consecutive to any other sentence, with credit for 0 days time served. Huber privileges pursuant to Sec. 303.08 Wis. Stats to apply. The court ordered the FIRST 30 DAYS TO BE SERVED STRAIGHT, and without incident before the defendant can participate in the Community Justice Resource Center program. Obtain and maintain employment, Pay restitution of \$131.00. Pay costs and surcharges. Court Orders: The TOTAL LENGTH OF SENTENCE of FOUR (4) YEARS in the Wisconsin State Prison (Dodge as the reception center), CONSECUTIVE to any other sentence now serving. The INITIAL TERM OF CONFINEMENT in prison shall be TWO (2) YEARS. The TOTAL TIME ON EXTENDED SUPERVISION will be for TWO (2) YEARS. One hundred seventy-two (172) DAYS credit for incarceration time served. CONDITIONS OF EXTENDED SUPERVISION: Pay court costs, surcharges, and penalty assessments. Pay costs of supervision. Submit a DNA sample, and pay appropriate fees. Cooperate with a psychological evaluation and any follow-up treatment. No contact with the victim. Felony firearm warnings given, rights to vote now revoked.

- **08/31/2004** Arrested by MPD for Probation Violation (Felony). Disposition-not reported
- **04/08/2008** Arrested by MPD for Escape-Criminal Arrest (Felony) and Probation Violation (Felony). Disposition-Not reported.

Statement from Sheriff Clarke:

“ Let me make this very clear so there is no misunderstanding. Assaults on county buses of either drivers or passengers is a felony and it will be pursued in the District Attorney’s Office as such. It exposes the perpetrator to 3-1/2 years in the state prison system. When I say I take something seriously – I show it. I will follow these cases through to ensure that they don’t end up in a watered down sentence in exchange for a plea-bargain or judicial leniency in sentencing.

The three people who have been charged by the DA’s office are they type of career criminals that our streets and neighborhoods are littered with. This is the result of a criminal justice system that has gone soft and is falling for this fairytale notion of treatment programs instead of prison sentences. Treatment may work for first time offenders but these three are not first offenders. I’ll say it again... they are career criminals who need to be separated from the law-abiding public for a lengthy period of time.

The suspect that struck the woman passenger in the face has arrests for assaultive-type behavior in the past. The disgusting behavior that he exhibited is part of his makeup. He is not in need of a treatment program, he needs to be kept away from law-abiding citizens until he acquires and then demonstrates a set of social skills required for human interaction. It is my opinion that those programs be obtained, not while on probation, but from within a confinement facility.

Suspect number two -- the mother of the 18-year-old -- has been arrested 21 times and she is only 38 years old. Her boyfriend who is 23 is currently on probation for prior felonies that he committed. He received a four-year prison sentence that was stayed by a judge...he was instead given probation. This is the judicial leniency that I made reference to.

These three perpetrators have become the norm and the soft underbelly of a criminal justice system that no longer has the stomach to incarcerate people. As a result, some misguided criminal justice officials put them back to mingle with the law-abiding public and to wreak more havoc. ”

The Following pages are the Criminal Complaints of all three suspects.

CIRCUIT COURT
STATE OF WISCONSIN CRIMINAL DIVISION MILWAUKEE COUNTY

STATE OF WISCONSIN

Plaintiff

CRIMINAL COMPLAINT

vs.

Gibson-Smith, Michael R
1017 W Wright St
Milwaukee, Wisconsin 53206
(D.O.B. : September 29, 1990)

Complaining Witness:

Det John Davis

DA Case Number: 08XF7168

Circuit Court Case Number:

Defendant(s)

THE ABOVE NAMED COMPLAINING WITNESS BEING DULY SWORN SAYS THAT THE ABOVE NAMED DEFENDANT(S) IN THE COUNTY OF MILWAUKEE, STATE OF WISCONSIN.

COUNT 01: BATTERY TO PUBLIC TRANSIT PASSENGER

The above named complaining witness, being duly sworn, on information and belief states that the above named defendant, in the County of Milwaukee, State of Wisconsin, on October 6, 2008 at 5700 W. Hampton Ave. and N. 60th Street in the City and County of Milwaukee did cause bodily harm to Lisa Ann Greenwood, a passenger on a Milwaukee County Transit Bus by an act done with intent to cause bodily harm to Lisa Ann Greenwood, without the consent of Lisa Ann Greenwood, contrary to Wisconsin Statutes Section 940.20(6)(b)1.

AS TO COUNT 01:

Upon conviction of this charge, a Class I Felony, the maximum possible penalty is a fine of not more than \$10,000 or imprisonment for not more than 3.5 years or both.

On Monday, October 6, 2008 at approximately 7:07 p.m. at the corner of W. Hampton Avenue and N. 60th Street, Deputy Sandy Welsher along with her partners were dispatched from the Milwaukee County Sheriff's office to a battery on Milwaukee County transit bus #4818 run 213 Route 12, which stopped eastbound on W. Hampton Avenue and N. 57th Street. On arrival the deputy was met by the victim who identified herself as Lisa Ann Greenwood. Ms. Greenwood stated that she had been waiting at the bus stop on W. Hampton Avenue and N. 60th Street. Ms. Greenwood stated that she asked two black males who were also at the bus stop if the Route 12 bus ran eastbound on W. Hampton Avenue. Ms. Greenwood stated that both of the males became disrespectful towards her and she told them they should respect their elders. An older female who identified herself as their mother became disrespectful towards Greenwood as well and Ms. Greenwood stated that when the bus came and she and the three suspects boarded the bus. Ms. Greenwood said that she sat in the handicap area right behind the bus driver. One of the male suspects then struck her with a closed fist causing her pain. She stated that she did not give any of the suspects, including the defendant, permission to strike her to or to cause her pain. She further stated that the two males and the one female got off the bus when the bus stopped

The deputy also talked to the bus driver who identified herself as Charlene Jones. Jones stated that she heard yelling and started pulling the bus over at N. 57th Street and W. Hampton Avenue. Ms. Jones stated that a black male approximately 16 to 18 years of age 5'9" in height wearing a yellow and green jacket with his hair in braids carrying an AJ Wright shopping bag

struck Ms. Greenwood in the face with a closed fist and then exited the bus. Jones stated that another black male threatened Ms. Greenwood saying that he had a gun. This male was wearing a green Bombardier jacket with black sleeves and a Burger King work shirt. Ms. Jones further said that she knew of a Burger King and an AJ Wright store at the Midtown shopping center near the bus stop, where the three suspects got on the bus.

The deputy also spoke to Mr. Timokoyya D. Metcalf who was also on the bus and stated that he saw the two male suspects get on the bus with an older female suspect and that they argued with Ms. Greenwood and the guy with the braids hit Ms. Greenwood who was sitting in front of the bus.

On October 8, 2008 Detective Rothstein was contacted by Sgt. Thomas Liebenthal advising him that a person claiming to be the mother of the suspect that punched a woman in the face had called the Milwaukee County Sheriff's office dispatch center and wanted to give information and her side of the story. Detective Rothstein then called the mother who was Kimberly Smith. Ms. Smith stated she had seen herself on the news and wanted to call and clear up what had happened on the bus before after and during the attack. Ms. Smith stated that her son Michael R. Gibson-Smith, the defendant in this case, punched the victim. Ms. Smith told the deputy that Michael Gibson-Smith had just gotten out of Ethan Allen and he was "not right" because he was only 18 years old and not grown yet. Ms. Smith admitted to the verbal argument with the victim but said that she had gotten off the bus at the 57th Street and W. Hampton Avenue and was attempting to calm the situation but before she knew it her son came from behind her and punched the victim. After the defendant punched the victim all three suspects Ms. Smith, Michael Gibson-Smith, and another black male left the bus and went their own ways

Later Detective John M. Davis went to the defendant's father's house to speak to him. Mr. Gibson, the defendant's father, stated that he had seen this incident on the news and knew that the police were looking for his son. He stated he had picked up his son from his release at Wales on 9/29/08. His son stayed at his home for several days but he hasn't seen his son since the incident on Monday. He was shown a still photo of the surveillance video at which time he identified the third suspect as the female Kimberly Smith's boyfriend. Later that day at 1:20 p.m. Deputy Davis received a phone call from the Avenue Bus Station of the Milwaukee Police Department, advising him that the defendant Michael Gibson-Smith was at their station. The deputy then took the defendant into custody without incident.

At 2:50 p.m. Detective Davis met with the defendant in the interview room. The detective read him his Miranda rights, which the defendant stated he understood and agreed to waive and signed the form. The defendant related the following in regards to the events of October 6, 2008: the defendant said he went shopping with his mother and her boyfriend. They were waiting for the bus at N. 60th and W. Hampton Avenue, when a woman, Greenwood, approached them and asked how to get to 31st and Capitol. The defendant pointed the way and she went to the gas station and when she returned the defendant asked if she needed help finding her way. The victim and all three suspects then got on the bus. According to the defendant the victim had said something to his mother, which he considered a threat and he

walked around his mother and struck the woman with a closed fist in the face. The defendant saw that Greenwood was bleeding as a result of his punch.

At the time this incident occurred the victim Ms. Greenwood stated that she at no time gave consent to the defendant to either strike her or to cause her pain.

****End of Complaint****

Subscribed and sworn to before me
and approved for filing on this
10 day of October,
2008

Andrea B. Raymond
DEPUTY / ASSISTANT DISTRICT
ATTORNEY

John H. Davis
Complaining Witness

Andrea Raymond\MIAW

-- FELONY COMPLAINT --

J:\REVIEW\08XF\07000 - 07499\08XF7168\2008-10-10 COMP COMPLAINT ~GIBSON-
SMITH,MICHAEL~~08XF7168.DOC
TYPIST: MIAW

**CIRCUIT COURT
CRIMINAL DIVISION**

STATE OF WISCONSIN MILWAUKEE COUNTY

STATE OF WISCONSIN

Plaintiff

INFORMATION

vs.

Gibson-Smith, Michael R
1017 W Wright St
Milwaukee, Wisconsin 53206
(D.O.B. : September 29,
1990)

Complaining Witness:

Det John Davis

DA Case Number 08XF7168
Circuit Court Number

Defendant(s)

I, JOHN T. CHISHOLM, DISTRICT ATTORNEY FOR MILWAUKEE COUNTY, WISCONSIN,
HEREBY INFORM THE COURT THAT THE ABOVE NAMED DEFENDANT (S) IN THE
COUNTY OF MILWAUKEE, STATE OF WISCONSIN.

COUNT 01 - 940.20(6)(B)1

The above named defendant, in the County of Milwaukee, State of Wisconsin, on October 6,
2008 at 5700 W. Hampton Ave. and N. 60th Street in the City and County of Milwaukee did
cause bodily harm to Lisa Ann Greenwood, a passenger on a Milwaukee County Transit Bus
by an act done with intent to cause bodily harm to Lisa Ann Greenwood, without the consent of
Lisa Ann Greenwood, contrary to Wisconsin Statutes Section 940.20(6)(b)1.

DATED:

John T. Chisholm
District Attorney

DEPUTY / ASSISTANT DISTRICT
ATTORNEY

MIAW

CIRCUIT COURT
CRIMINAL DIVISION

STATE OF WISCONSIN MILWAUKEE COUNTY

STATE OF WISCONSIN, Plaintiff

vs.

Kimberly M. Smith

4950 N. 24th Pl

Milwaukee, WI 53209

07/07/1972 (DOB)

Defendant.

CRIMINAL COMPLAINT

CRIME

**Disorderly Conduct – Habitual Criminality
Obstructing an Officer**

**STATUTE(S) VIOLATED 947.01 & 939.62,
946.41(1)**

CASE NUMBER _____

COMPLAINING WITNESS

Det. John Davis

Count 1: Disorderly Conduct – Habitual Criminality

The above named complaining witness, being duly sworn, on information and belief states that the above named defendant, in the County of Milwaukee, State of Wisconsin, on 10/6/08 at 5700 W. Hampton Avenue where Milwaukee County Transit Bus # 4818, run 213, route 12 was stopped, in the City and County of Milwaukee, a public place, did engage in threatening, abusive, profane, loud, and disruptive behavior, under circumstances in which the conduct tended to cause or provoke a disturbance, contrary to Wisconsin Statutes Section 947.01.

Upon conviction of this offense, a Class B Misdemeanor, the maximum possible penalty is a fine of not more than \$1,000 or imprisonment for not more than 90 days, or both.

Habitual Criminality

Further that the defendant is a repeater as defined in Wisconsin Statutes Section 939.62, in that the defendant was convicted of a felony during the five year period immediately preceding the commission of the crime charged in this complaint, which conviction(s) remain(s) of record and unreversed. If this is found to be the case, the maximum term of imprisonment for this crime may be increased to not more than 2 years.

Count 2: Obstructing an Officer

The above named complaining witness, being duly sworn, on information and belief states that the above named defendant, in the County of Milwaukee, State of Wisconsin, on 10/06/08 which started at 20th and Capitol, in the City and County of Milwaukee, did knowingly obstruct a law enforcement officer while such officer was doing an act in an official capacity and with lawful authority, contrary to Wisconsin Statutes Section 946.41(1).

Upon conviction of this offense, a Class A Misdemeanor, the maximum possible penalty is a fine of not more than \$10,000 or imprisonment for not more than 9 months, or both.

As to Both Counts:

I am a Milwaukee County Sheriff law enforcement officer and base this complaint upon the statements of citizen victim Lisa Ann Greenwood that on the above date, at the above place, she personally observed the above-named defendant at the above stated location on the above stated date. Deputy Welsher was dispatched to the above location for a possible battery on Milwaukee County Transit Bus #4818 which was stopped at the above location. Upon arriving to the scene Deputy Welsher met with victim Greenwood who explained that she had been waiting at a bus stop at W. Hampton Ave and N. 60th Street. Ms. Greenwood explained that she asked two males if the Route 12 bus ran Eastbound on W. Hampton Avenue. Greenwood explained that the two males became disrespectful and starting arguing with her. A third person, a female, who was later identified as the defendant, also joined the two males in arguing with Ms. Greenwood. Ms. Greenwood, the defendant, and the two co-actors all boarded the bus. Upon entering the bus one of the co-actors struck Ms. Greenwood across the face. Ms. Greenwood further explained that the other two individuals, including the defendant fought with her prior to the punch and all three suspects exited the bus at a later stop.

Deputy Welsher further took the statement of bus driver Charlene Jones who stated that she heard yelling and started pulling the bus over at N. 57th Street and W. Hampton. Ms. Jones also recounted the victim being struck with a closed fist by a 16-18 year old black male wearing a yellow and green jacket. Jones further stated that another black male, was 5 foot 10 inches tall, 160 pounds, wearing a green Bombardier jacket with black sleeves and a Burger King work shirt. This co-actor threatened the victim that he had a gun by putting his hand in his jacket prior to leaving the bus. The driver further described the third female suspect, the above-stated defendant as wearing a brown and beige fur type coat and to be about 5 foot 4 inches and about 175 pounds.

The above-defendant was later identified on October 8, 2008 when the defendant called Sergeant Thomas Liebenthal about a story that had run on the news and stated that she was the mother of the suspect that punched a woman in the face and wanted to give her side of the story. Detective Todd Rosenstein followed-up with the defendant and called her and during this phone conversation the defendant explained that she had seen herself on the news and wanted to clear up what had happened before, during and after the bus incident. The defendant admitted to the verbal argument and her involvement. At this time the defendant stated that she did not know much about the third suspect, but thought his name may have been Robert Green and that she had no knowledge of her son's location.

On Thursday October 9, 2008 the defendant met with Deputy John Davis and drove to the area the defendant felt "Robert Green" had lived. The defendant and Davis did not find Robert Green and the defendant said she had no further information about her son either. Davis then dropped the defendant off at work at Burger King. Davis then spoke to Michael Gibson-Smith's father, Michael T. Gibson, who stated that the third suspect "Robert Green" was actually the defendant's boyfriend. Deputy Davis then returned back to the Burger King

along with Detectives Kostopoulos and Robinson. The deputies found the defendant and also behind the counter was the third suspect from the video ("Robert Green") who was actually Michael J. Davis. Deputy Davis had spent roughly two hours of his work that day attempting to track down "Robert Green" with the defendant's false information.

Detective Davis also interviewed the above-defendant who admitted that Michael Davis was her boyfriend. The defendant also admitted to arguing with Greenwood and yelling on the bus, "You snaggly tooth ass bitch, I'll bust you in your shit."

Deputy Davis further stated, that at the time the defendant told him false information about "Robert Green" Deputy Davis was on duty and dressed in a suit and tie with his department badge in plain view on his person identifying himself as a law enforcement officer. Also, the defendant knew Davis was a law enforcement official because the defendant had agreed to go in a sheriff's squad car with the deputy to look for "Robert Green".

This complaint is further based upon my examination of Milwaukee County Clerk of Circuit Court files in the following cases. Those files reflect the following:

[One Felony]

On 12/17/2003, defendant Kimberly M. Smith was convicted in the Circuit Court of Milwaukee County in Case No. 2003CF006284 of the felony offense of Substantial Battery – Intend Bodily Harm in violation of Wisconsin Statutes Section 940.19(2) and that said conviction remains of record and unreversed.

(A) Certified copy/copies of that/those judgment(s) of conviction are attached to this complaint and incorporated by reference.

END OF COMPLAINT

Subscribed and sworn to before me and approved for filing this 10 day of October, 2008.


ASSISTANT/DEPUTY DISTRICT ATTORNEY


COMPLAINING WITNESS

ADA/DDA Name: Andrea B. Raymond

dchcelect

MILWAUKEE COUNTY

Det. John Davis

I am a Milwaukee County Sheriff law enforcement officer and base this complaint upon the statements of citizen victim Lisa Ann Greenwood that on the above date, at the above place, she personally observed the above-named defendant at the above stated location on the above stated date. Deputy Welsher was dispatched to the above location for a possible battery on Milwaukee County Transit Bus #4818 which was stopped at the above location. Upon arriving to the scene Deputy Welsher met with victim Greenwood who explained that she had been waiting at a bus stop at W. Hampton Ave and N. 60th Street. Ms. Greenwood explained that she asked two males if the Route 12 bus ran Eastbound on W. Hampton Avenue. Greenwood explained that the two males became disrespectful and starting arguing with her. A third person, a female, also joined the two males in arguing with Ms. Greenwood. Ms. Greenwood, the defendant, and his two co-actors all boarded the bus. Upon entering the bus one of the co-actors struck Ms. Greenwood across the face. Ms. Greenwood further explained that the other two

individuals, including the defendant continued to fight with her and all three suspects exited the bus at a later stop. Deputy Welsher further took the statement of bus driver Charlene Jones who stated that she heard yelling and started pulling the bus over at N. 57th Street and W. Hampton. Ms. Jones also recounted the victim being struck with a closed fist by a 16-18 year old black male wearing a yellow and green jacket. Jones further stated that another black male, later identified as the above defendant, was 5 foot 10 inches tall, 160 pounds, wearing a green Bombardier jacket with black sleeves and a Burger King work shirt. The defendant, threatened the victim that he had a gun by putting his hand in his jacket prior to leaving the bus. The driver further described the third female suspect.

The above-defendant was later found by Sheriff Detective John M. Davis working at a Burger King at 5260 N. Port Washington Rd where another co-actor also worked. The defendant was identified by the Detective from the bus surveillance video.

Detective Davis also spoke with the above-defendant who admitted to arguing with Greenwood and eventually admitted that he had threatened to shoot Greenwood several times and pretended to have a gun.

This complaint is further based upon my examination of Milwaukee County Clerk of Circuit Court files in the following cases. Those files reflect the following:

[One Felony]

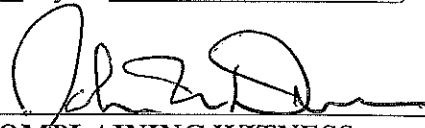
On 11/17/2004, defendant Michael J. Davis was convicted in the Circuit Court of Milwaukee County in Case No. 2004CF004592 of the felony offense of Escape – Criminal Arrest in violation of Wisconsin Statutes Section 946.42(3)(a), and that said conviction remains of record and unreversed.

(A) Certified copy/copies of that/those judgment(s) of conviction are attached to this complaint and incorporated by reference.

END OF COMPLAINT

Subscribed and sworn to before me and approved for filing this 10 day of October, 2008.


ASSISTANT/DEPUTY DISTRICT ATTORNEY


COMPLAINING WITNESS

ADA/DDA Name: Andrea B. Raymond

dchselect